

Application No. 10/590,123
Amendment
Reply to Office Action of December 9, 2008

PATENT

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 1a. This sheet, which includes Fig. 1a-1d replaces the original sheet including Fig. 1a-1d.

Attachment: Replacement Sheet[s]

REMARKS/ARGUMENTS

The specification has been revised to conform it to the preferred format for U.S. patent applications, and a Substitute Specification and Comparison Copy are submitted herewith.

Upon entry of this amendment, Claims 1-5, 7-13, 15-19 and 21-22 are amended; Claims 6, 14 and 20 are cancelled; Claims 23-29 are new; and Claims 1-5, 7-13, 15-19 and 21-29 are pending in this application. No new matter is introduced by way of the amendment.

The claims were reworded to substitute the routinely used "wherein" for the less common "characterized in that". These changes were made for purposes of clarification unrelated to patentability concerns.

Drawings:

The drawings were objected for allegedly not labeling the drawings correctly. Applicant respectfully disagrees, but has included amended figures to expedite prosecution of the application.

Claim Rejections – 35 U.S.C. §112:

Claims 1-22 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. Applicant respectfully disagrees, but solely in the interest of expediting prosecution of the application, has amended the claims to overcome the rejections.

Claim Rejections – 35 U.S.C. §102(b):

Claims 1-14, 16-19, and 21-22 were rejected under 35 U.S.C. §102(b) as being anticipated by Timmons (4,768,813). The rejection is traversed.

Regarding claim 1, Timmons does not teach or suggest, *inter alia*, “longitudinal ribs (3) are provided or formed on an outer surface (5) of the annular segment (10), between the flange surfaces and which are parallel to a generatrix or parallel to a central median axis (7) of the annular segment (10), wherein at least two adjacent longitudinal ribs (3) extend in parallel directions from the outer surface (5) of the annular segment (10)” as amended. The Office Action cited a gasket 36 from Timmons against the pending claims, which plainly does not include longitudinal ribs on an outer surface and between flange surfaces. The gasket is also not capable of forming, in a watertight manner, an annular element. The Office Action further cited, in the alternative, the flanges 16 and 18 of Timmons as longitudinal rims. The flanges 16 and 18, however, are not longitudinal ribs positioned on a surface between flange surfaces.

Claim 1 has been amended to provide clarity and to expedite the prosecution of the application. Applicant directs the Examiner to figure 2a as one example of the claimed invention. A annular segment (10) is shown, which includes longitudinal ribs (3) which extend in parallel directions, which allows the segment to be removed from a mold without damaging the ribs. The longitudinal ribs (3) are located between flanges surfaces (16). If the ribs protruded in radial directions (as shown by the dotted lines), an outer mold (for creating the annular segment) would be difficult to remove and could damage the ribs during removal, as the inner angle of the non-centrally located ribs could trap a portion of the mold. Thus, the instant invention prevents such damage from occurring.

A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil of California*, 814 F.2d 628, 631; 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Thus, for anticipation the “identical invention must be shown in as complete detail as is contained in the ... claim”. *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236; 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). MPEP §2131. Accordingly, claim 1, and all claims dependent therefrom, are not anticipated by Timmons.

Claim Rejections – 35 U.S.C. §103(a):

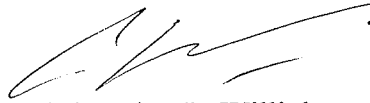
Claims 15 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Timmons, and Brown and Lamberton, respectively. The rejection is traversed. Claim 15 bases patentability from claim 1, and also recites novel and non-obvious claim limitations which makes it patentable over the prior art. Claim 20 has been cancelled. Accordingly, claim 15 is allowable over the prior art.

CONCLUSION

In view of the foregoing, applicant submits that this application is in condition for allowance, and a formal notification to that effect at an early date is requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at (415) 273-4380 (direct dial).

Respectfully submitted,



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